

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

IN RE:

HOWARD DELIVERY SERVICE, INCORPORATED, BK No. 02-30289

Debtor.

HOWARD DELIVERY SERVICE, INCORPORATED,

Plaintiff,

v.

Civil Action No. 3:03CV61  
(STAMP)

ZURICH AMERICAN INSURANCE COMPANY,

Defendant.

**ORDER SCHEDULING STATUS CONFERENCE**

On January 14, 2008, this Court conducted a status conference in the above-styled civil action. At that conference, the parties, by counsel, reported on the status of the sale of the last remaining items to be sold from the estate -- two time shares in Florida. The parties reported that although they have explored alternate avenues for marketing the unit, the time shares have not yet been sold, and the parties are now exploring whether the time shares should be abandoned by the estate. The parties also reported that they expect to distribute monies from the estate to the next priority creditors, namely holders of claims for contributions to employment benefits plans. This Court appreciates the parties' continued efforts to resolve this case.

This Court finds that it would be beneficial to conduct another status conference to discuss the final disposition of the time shares and the status of the distributions to the claimants of employment benefits plans contributions. Accordingly, it is ORDERED that the parties appear for a status conference on March 4, 2008 at 12:00 p.m. at the Wheeling, West Virginia point of holding court. The undersigned judge is currently scheduled to be in trial on the date of the status conference. In the event that the trial is not held on this date, the status conference will be rescheduled to another time on this date by separate order.

The Court will permit those out-of-town attorneys having their offices further than forty miles from the point of holding court to participate in the conference by telephone. However, any such attorney shall advise the Court at least three working days prior to the conference of his or her intention to participate by telephone and shall (1) inform all counsel of his or her appearance by telephone; (2) confer with other out-of-town attorneys to determine if they wish to appear by telephone; (3) advise the Court of the name of the attorney who will initiate the conference call and all such attorneys appearing by telephone; and (4) initiate a timely conference telephone call with such attorneys to the Court at 304/233-1120 at the time of the scheduled conference. If the attorneys cannot reach agreement as to the initiator of the call, the Court will make that determination.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: January 15, 2008

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE